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TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

Application Number	10/621,993	
Filing Date	July 17, 2003	
First Named Inventor	Samuel Wayne BUFF	
Group Art Unit	3612	
Examiner Name	Stephen T. GORDON	Fax: (703) 872-9326
Attorney Docket Number	BUFSAM P01AUS	

Total No. of Pages in this Submission: 3

ENCLOSURES (check all that apply)

- ☐ Fee Transmittal Form
- ☐ Fee attached
- ☒ Amendment/Response
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Part/s Incomplete Application
- ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment papers (for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition Routing Slip (PTO/SB/69) and Accompanying Petition
- ☐ To Convert a Provisional Petition
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Small Entity Statement
- ☐ Request for Refund

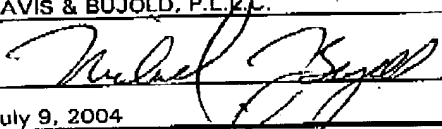
- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☐ Additional Enclosure(s) (please identify below):

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REMARKS

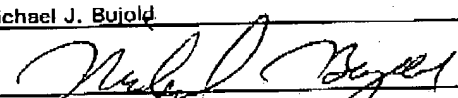
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	Michael J. Bujold DAVIS & BUJOLD, P.L.L.C.	Reg. No. 32,018 CUSTOMER NO. 020210
Signature		
Date	July 9, 2004	

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the USPTO on July 9, 2004

Type or printed name	Michael J. Bujold
Signature	
Date:	July 9, 2004

7/9/04

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Samuel Wayne BUFF
Serial no. : 10/621,993
Filed : July 17, 2003
For : WALL MOUNTED CARGO SECURING SYSTEM
Group Art Unit : 3612
Examiner : Stephen T. GORDON
Docket : BUFSAM P01AUS

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RESPONSE

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Dear Sir:

This response is being filed in reply to the official action mailed June 24, 2004. In that action, the Examiner required an election of species under 35 U.S.C. § 121 between the following alleged patentably distinct species of the invention:

- I. Fig. 10;
- II. Fig. 11; or
- III. Fig. 12.

Secondly, we are also required to elect one of the following patentably distinct species of the base member:

- I. Fig. 4A;
- II. Fig. 4B;
- III. Fig. 4C; or
- IV. Fig. 9.

Thirdly, we are also required to elect one of the following patentably distinct species of the adjustable member:

- I. Fig. 5;
- II. Fig. 7; or
- III. Fig. 8.

10/621,993

Reconsideration of this requirement for election of species is respectfully requested in view of the following remarks.

The Applicant believes that the present invention contains various embodiments of a single inventive concept. All of the various species contain the features presently recited in claim 1 which is currently generic to all of the species. Moreover, the Applicant believes that claim 1 is allowable and consequently all species of the invention should be prosecuted in one and the same application for efficiency reasons. It is respectfully submitted that all of the species of the invention represent similar ways of obtaining the same desired results disclosed within this application.


Notwithstanding the above, in order to fulfill the Examiner's request, the Applicant provisionally elects, with traverse, to prosecute the species of the claimed invention shown in Figs. 12, 4A and 8 of the drawings. The Applicant also provisionally elects, with traverse, claims 1-8, 10, 13 and 18-20 which are readable on the elected species to be prosecuted on the merits.

The Applicant does not waive any rights with respect to the non-elected species and does not intend to abandon that subject matter. If the Examiner makes the election requirement final, the Applicant respectfully requests that the non-elected species be withdrawn from further consideration but remain in this application subject to reinstatement, in the event that a generic claim is allowed, or for possible filing of a divisional application(s).

In view of the foregoing, it is respectfully submitted that the outstanding election of species requirement should be withdrawn and examination of all claims pending in this application, on the merits, is respectfully requested at the present time.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,


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